LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS

54111 BROUGHTON ROAD

MACOMB, MI 48042

PRESENT: MARK H. GRABOW, SUPERVISOR

MICHAEL D. KOEHS, CLERK MARIE MALBURG, TREASURER DINO F. BUCCI, JR, TRUSTEE JANET DUNN, TRUSTEE

ROGER KRZEMINSKI, TRUSTEE NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel

Jerome Schmeiser, Planning Consultant James VanTiflin, Engineering Consultant

(Additional attendance on file at the Clerk's Office)

Supervisor GRABOW called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 7A and 20A were added and items 12 and 14 were tabled to April 8, 2009.

MOTION by BUCCI seconded by KRZEMINSKI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on March 11, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of March 11, 2009 as presented.

MOTION carried.

5. Consent Agenda Items:

- A. Clerk's Department:
 - 1. **Request for Wall Sign Bond Release**; Zack's Hot Dogs; Signs by Crannie, Inc., Petitioner.
 - 2. **Request for Temporary Builder Ground Sign Release**; Elan Estates; Elan Estates, LLC, Petitioner.
 - 3. **Request for Temporary Builder Ground Sign Release**; Gloede Park Estates; Gloede Park Estates, LLC, Petitioner.
 - 4. **Request for Model Bond Release**; Pine Valley Subdivision-Lot 20, 56935 Holiday Pine Drive; Manzella Building Company.
 - 5. **Request for 8' Pathway & Sidewalk Bond Release**; The Retreat Phase I; Lombardo North Avenue Properties, Petitioner.
 - 6. **Request for 8' Pathway & Sidewalk Bond Release**; The Retreat Phase II; Lombardo North Avenue Properties, Petitioner.

B. Human Resources

1. Request for a FMLA Leave of Absence – Water/Sewer Department

Supervisor GRABOW reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MOTION by KRZEMINSKI seconded by KOEHS to approve the Consent Agenda as presented.

MOTION carried.

6. Public Comments

Ms. Barbara Tomaszewski presented the Board with a letter describing her problems with Building Department Inspectors. She asked that the Board review her letter and provide her with some feed back.

PLANNING

7. **Request to Schedule a Public Hearing** to review the proposed amendments to Zoning Ordinance #10 to allow for housing for the elderly and amendments to the sign ordinance.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and asked that the Board also consider approving to set a public hearing date for amendments to the Zoning Ordinance regarding signs. He further stated his recommendation for approval.

MOTION by KOEHS seconded by NEVERS to schedule a Public Hearing to review the proposed amendments to Zoning Ordinance #10 to allow for Housing for the Elderly and to amend the Sign Ordinance sections.

MOTION carried.

7A. **Request to Retain Counsel** to enforce Consent Judgment regarding the property at 20077 25 Mile Road.

Mr. KRZEMINSKI reviewed this matter and indicated that it has gone unresolved for six months and that our current legal counsel is prohibited from initiating legal action in this matter because it involves the Supervisor.

Mr. Lawrence Dloski confirmed that the ethics standards of the Michigan Bar Association did in fact prohibit him from taking any further action in this matter.

MOTION by KRZEMISNKI seconded by BUCCI to retain legal counsel to enforce the Consent Judgment regarding the property at 20077 25 Mile Road.

MOTION carried.

NEW BUSINESS

8. Request Authorization to Defend Unemployment Appeal.

Mr. Lawrence Dloski reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by KRZEMINSKI to authorize legal counsel to defend the Township in the matter regarding the unemployment appeal.

MOTION carried.

9. **Request Authorization to Defend** Broughton Development v Macomb Township; Michigan Tax Tribunal Case in the Court of Appeals.

Mr. Lawrence Dloski reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to authorize legal counsel to defend the Township in the matter regarding Broughton Development v Macomb Township; Michigan Tax Tribunal Case in the Court of Appeals.

MOTION carried.

10. Request to Adopt Resolution Honoring Eagle Scout Joel Blank.

Clerk KOEHS reviewed this matter and stated his recommendation for adoption of the resolution as proposed.

MOTION by KOEHS seconded by MALBURG to approve the following resolution:

Resolution Honoring Eagle Scout Joel Blank

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 25th day of March, 2009 at 7:00 PM the following preamble and resolution were offered by member KOEHS and supported by member MALBURG:

Whereas, Joel Blank started his scouting career with Pack 391 during which time he received his Arrow of Light; and,

Whereas, Joel Blank continued his scouting career with Boy Scout Troop 211 where he has distinguished himself by earning thirty two merit badges; and,

Whereas, Joel Blank has earned numerous awards and served as Patrol Leader and Assistant Senior Patrol Leader; and,

Whereas, Joel Blank is a student at Dakota High School where he is a member of the Senior Class, an accomplished musician and a member of the National Honor Society and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers.

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Joel Blank has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Joel on his elevation to Eagle Scout and further extends its best wishes to Blank in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Sunday, March 29, 2009 Joel Blank Day in Macomb Township

MOTION carried.

11. Request to Adopt Resolution Honoring Eagle Scout Matthew Ellis.

Clerk KOEHS reviewed this matter and stated his recommendation for adoption of the resolution as proposed.

MOTION by KOEHS seconded by KRZEMINSKI to approve the following resolution:

Resolution Honoring Eagle Scout Matthew Scott Ellis

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 10th day of May, 2006 at 7:00 PM the following preamble and resolution were offered by member KOEHS and supported by member KRZEMINSKI:

Whereas, Matthew Scott Ellis started his scouting career with Pack 153 during which time he received his Arrow of Light; and,

Whereas, Matthew Scott Ellis continued his scouting career with Boy Scout Troop 248 where he has distinguished himself by earning thirty merit badges; and,

Whereas, Matthew Scott Ellis has earned numerous awards and served as Quartermaster, Historian, Patrol Leader, and Assistant Patrol Leader; and,

Whereas, Matthew Scott Ellis is a student at Dakota High School where he is a member of the Senior Class and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers,

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Matthew Scott Ellis has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Matthew on his elevation to Eagle Scout and further extends its best wishes to Blank in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Sunday, March 29, 2009 Matthew Scott Ellis in Macomb Township

MOTION carried.

- 12. Request to Appoint Community Development Block Grant Administrator. (*This matter was tabled to April 8, 2009*).
- 13. Request to Rescind Motion of March 11, 2009 to Release the Site Plan Bond for Suburban Ice.

Clerk KOEHS reviewed this matter and stated a subsequent review before the bond was returned revealed that one of the conditions of the bond's release had not been

completed and he further stated his recommendation for rescinding the prior approval until this issue is resolved.

MOTION by DUNN seconded by NEVERS to approve the request to rescind motion of March 11, 2009 to release the Site Plan Bond for Suburban Ice.

MOTION carried.

PARKS AND RECREATION

14. Request to Extend the Current Lawn Maintenance Contracts.

(This matter was tabled to April 8, 2009).

15. Update on Phase II of Macomb Corners Park.

Mr. Salvatore Dicaro, Parks and Recreation Director, reviewed this matter and updated the Board of Trustees on the progress of this project. He further informed the Board that the municipal bond rating for Macomb Township has been raised to AA+, which is the second highest rating available. Only approximately 37 other communities in Michigan have this high of a rating.

No motion was made as this was informational only.

BROADCAST MEDIA

16. Request to Purchase Equipment for Playback Upgrade for On-Demand Web Streaming.

Mr. James Gillis, Broadcast Media Director, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to approve the request to purchase equipment for Playback Upgrade for On-Demand Web Streaming.

MOTION carried.

HUMAN RESOURCES

17. Request for Purchase HR Attendance Forms.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by KOEHS to approve the purchase of HR attendance forms.

MOTION carried.

WATER AND SEWER DEPARTMENT

18. Request to Award Bid for Chateau Macomb Sanitary Sewer Repair.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by DUNN to approve the Bid for Chateau Macomb Sanitary Sewer Repair.

MOTION carried.

19. Request for a Temporary Cement Batch Plant; John Carlo Incorporated; Romeo Plank Road Widening Project from Hall Road (M-59) to approximately 21 ½ Mile Road.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by DUNN to approve the request for a Temporary Cement Batch Plant by John Carlo Incorporated for the Romeo Plank Road Widening Project from Hall Road (M-59) to approximately 21 ½ Mile Road to be operated only between May 15, 2009 and June 30, 3009 and; between September 1, 2009 and October 15,2009.

MOTION carried.

BOARD COMMENTS

- 20. Supervisor Comments:
 - a. Request to reappoint two members to the Clinton Macomb Library Board.

Supervisor GRABOW reviewed this matter and stated his recommendation to reappoint Camille Silda and Sharon Zielinski to the Clinton Macomb Library Board for a term expiring on April 30, 2013.

MOTION by GRABOW seconded by NEVERS to reappoint Camille Silda and Sharon Zielinski to the Clinton Macomb Library Board for a term expiring on April 30, 2013.

MOTION carried.

21. Clerk Comments: NONE

22. Treasurer Comments: NONE

23. Trustees Comments:

Trustee DUNN commented on the excellent municipal bond rating awarded to Macomb Township and how it came about as the result of the financial decisions made by the Board of Trustees over the years.

Trustee KRZEMINSKI congratulated the Assessing Department for handling over 450 Board of Review appointments in a very professional manner.

EXECUTIVE SESSION

MOTION by KRZEMINSKI seconded by BUCCI to adjourn to Executive Session at 7:50 p.m.

MOTION carried.

(The Board returned to Regular Session at 8:38 p.m.)

24. Habel vs. Macomb Twp

MOTION by DUNN seconded by BUCCI to authorize legal counsel to sign the agreement as presented.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by NEVERS to adjourn the Board of Trustees meeting at 8:40 p.m.

MOTION carried.

Respectfully submitted,
Mark H. Grabow Macomb Township Supervisor
Michael D. Koehs, CMC